

UNITED STATES DISTRICT COURT

for the

Middle District of TennesseeNashville DivisionRECEIVED
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JAN 31 2022

U.S. District Court
Middle District of TN

03-22 0062

Case No.

(to be filled in by the Clerk's Office)

Melanie Renee Joiner

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

John Wilder Youth Development Center

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR EMPLOYMENT DISCRIMINATION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Melanie Joiner

Street Address

3623 N. 84th St

City and County

Milwaukee

State and Zip Code

WISCONSIN, 53222

Telephone Number

414-550-4807

E-mail Address

MelanieJoiner@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name John Wilder Youth Development
Job or Title (if known) _____
Street Address 13870 Highway 59
City and County Somerville Fayette
State and Zip Code TN 38068
Telephone Number 901-465-7359
E-mail Address (if known) _____

Defendant No. 2

Name _____
Job or Title (if known) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address (if known) _____

Defendant No. 3

Name _____
Job or Title (if known) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address (if known) _____

Defendant No. 4

Name _____
Job or Title (if known) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address (if known) _____

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is

Name John Wilder Youth Development Center
Street Address 13870 Highway 59
City and County Somerville, Fayette
State and Zip Code TN, 38068
Telephone Number 901-465-7359

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to (check all that apply):



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)



Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)



Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)



Other federal law (specify the federal law):

Aggravated sexual abuse, Harassment



Relevant state law (specify, if known):

Sexual assault



Relevant city or county law (specify, if known):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

☐
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Failure to hire me.

Termination of my employment.

Failure to promote me.

Failure to accommodate my disability.

Unequal terms and conditions of my employment.

Retaliation.

Other acts *(specify)*: sexual assault

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)

February 13, 2021

C. I believe that defendant(s) *(check one)*:

☐
☒

is/are still committing these acts against me.

is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

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☐
☐
☐

race

color

gender/sex

religion

national origin

age *(year of birth)*

disability or perceived disability *(specify disability)*

(only when asserting a claim of age discrimination.)

E. The facts of my case are as follows. Attach additional pages if needed.

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on (date)

March 26, 2021

- B. The Equal Employment Opportunity Commission (check one):

☐

has not issued a Notice of Right to Sue letter.

☒

issued a Notice of Right to Sue letter, which I received on (date) 9-14-2021.

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct (check one):

☒

60 days or more have elapsed.

☐

less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 1-27-22

Signature of Plaintiff

Printed Name of Plaintiff

Melanie Joiner

Melanie Joiner

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

Sequence of Events

At 10:15pm, YSO Herron called Dorm 2 and spoke with YSO Quinn because she observed several youths in a room. YSO Herron related there were about five youth going back and forth into another youth's room. She could not visually see what activities they were participating in. YSO Quinn stated I got you. YSO Quinn was observed by YSO Herron making rounds but the youth continued with the same activities. YSO Herron called again to let him know that the youth were still in and out. YSO Herron suggested that he contact the OIC to cover himself. YSO Herron contacted Sgt. Bonner via radio and he walked to the dorm. YSO Quinn called YSO Herron back on the phone and told her to not threaten his job and he didn't give a fuck about the kids. Again, YSO Herron suggested that he complete paperwork to cover himself.

About 10:00pm, YSO Anthony Quinn contacted Sgt. Bonner and requested that he come to Dorm 2. Sgt. Bonner was conducting breaks at the time. YSO Quinn called and stated, "Get your ass down here". YSO Quinn asked "who was the smart bitch in the COC who called the dorm". YSO Quinn stated get your ass down, because I am leaving. Sgt. Bonner arrived about 10:00-10:25 pm and YSO Quinn immediately stated using profanity; also stated he is the biggest gangster around Memphis. YSO Quinn stated he would whip every motherfucker at Wilder. YSO Quinn threw up Gangster Disciples with his hands; slammed radio on the desk and walked out.

About 10:30 pm, YSO Quinn came to the COC and asked who called me threatening me about my job. Quinn stated I have two children at home, and I don't give a fuck about them. YSO Herron related to Quinn, she was not making threats but advice to secure his job. Quinn stated to YSO Herron "I got something for your ass". YSO Herron told him to leave or you would call Fayette County, he continued make threats and when Herron grabbed the phone, Quinn left.

Sgt. Bonner observed all the youth in the dorm exited their rooms and began to state that YSO Quinn punked him out. The youth began to create the disturbance. Javion Holt took the remote to the tv and began to change channels. The tv was placed on music videos and they began to refuse to return to their rooms. I called the TRU and instructed YSO Owens to replace YSO Grandberry who was would assist me in trying to restore order.

YSO Grandberry arrived and all the youth began to run around refusing to return to their rooms. At that point, three youth began to lead the disturbance (Javion Holt, Jaterrio Martin and Deshun Jointer). Jointer began to vandalize State property. The desk was flipped over, and the legs were removed; Jointer armed himself with a broken wooden leg and began to break out lights, cameras, exit signs, and mirrors.

At 11:30pm, Mr. Peeler was contacted and advised of the incident. He gave approval to contact Fayette County Sherriff Office. At 11:51pm, The first deputy arrived and related they were unable to enter the facility. The Tennessee Highway Patrol was notified.

At 12:10 am, the first THP officer arrived A-bldg until back up arrived. Upon several more officer's arrival, THP walked to Dorm 2 and remained inside the lobby.

At 1:03 am, Mr. LeSure arrived at the facility and all available were called to Dorm. Sgt. Bonner and Mr. LeSure entered the Dorm 2 and Joiner was armed with a wooden leg and he was destroying light fixtures and cameras. Mr. LeSure approached Joiner and asked for the weapon and he refused to surrender the weapon. After multiple verbal attempts to disarm Joiner, Youth Ward lured Joiner near an exit door. At that time, Mr. LeSure, Sgt. Bonner, and YSO Grandberry subdued Joiner and he was disarmed. Youth Joiner had a cast on his left arm prior to the incident. He was subdued without injury and three sets of handcuffs were used to secure his hand and cast. Sgt. Bonner and Grandberry escorted Joiner to the TRU. Youth Martin and Holt refused to comply with any instructions given by Mr. LeSure. They were demanding to be placed in another facility. Both youths were dressed out in tennis shoes, sweats, and hoodies. All youth were instructed to return to their rooms, they slowly began to walk to their respective rooms.

At 02:30 am, Deputy Commissioner Goods arrived inside of Dorm 2. The following youth were positively identified as being involved:

George Miles -returned to Dorm

Cameron Nelson- returned to Dorm

Tadarius Butler- placed in TRU Room#9 (in possession of a large piece of mirror which he surrendered to Mr. LeSure without incident)

Javion Holt- placed in TRU Room#5

Jaterrio Martin- placed in TRU Room#4

At 02:50 am, Deputy Commissioner Goods related that all youth identified as being involved in the disturbance would be charged criminally. Mr. LeSure returned to the Dorm and spoke with YSO M. Joiner who related that she was groped by several youth during the disturbance. Mr. LeSure advised Joiner cameras would be reviewed and all youth positively identified would be charged with sexual battery. Counselor

Photos were taken by Mr. LeSure of all damages caused by Joiner.

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Melanie Joiner

3623 N 84th St

Milwaukee, WI 53222

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